## BLM Response to Triple B Wild Horse Gather Review Team's Eleven Recommendations

# Introduction and Statement by Joan Guilfoyle Wild Horse and Burro Division Chief, Washington DC

The objective of Nevada's 2011 Triple B wild horse gather was to bring the wild horse population on the Triple B Herd Management Area (HMA) to a more appropriate and sustainable level, consistent with the Bureau of Land Management's (BLM) mandate to manage and maintain healthy public lands for multiple uses. The gather resulted in 1,269 horses removed, four returned to the range, and four gather-related deaths. There were eight nongather related\* deaths.

Public observers captured images and video that alleged instances of inhumane treatment of wild horses, which led to the issuance of a temporary restraining order prohibiting helicopters from coming "dangerously or unreasonably" close to wild horses during gather operations on the HMA. On September 26, 2011, the BLM Director's Office chartered a gather review team to review and recommend improvements to address recent concerns on the Triple B Gather. The four-member team interviewed BLM staff, external animal welfare experts, and contractors; they also reviewed video, photos and reports.

The team's report states that the helicopter contractor generally demonstrated appropriate, humane handling of wild horses over the course of the six-week gather. It also states that no single incident generated a consensus among outside animal welfare experts that the wild horses were treated inhumanely. The latter conclusion illustrates the challenge and complexity of managing animals about which perspectives and emotions vary widely among the public. Regardless, we acknowledge that there were specific incidents which were inappropriate and overly aggressive. Those practices clearly must not be repeated.

My office has instituted a practice to review and recommend ongoing improvements to BLM offices charged with conducting wild horse and burro gathers, and to develop best management practices and standard operating procedures (SOPs) for the program nationwide. The Triple B review and associated recommendations are already being used to improve onthe-ground practices for gathering and handling wild horses.

Every BLM employee who works with wild horses and burros is committed to advancing the humane care and management of America's wild horses and burros. The Wild Horse and Burro Division is taking the steps below to address the inappropriate practices and ensure that corrective actions are taken to prevent future instances.

\* Non-gather related deaths are animals that come off the range with a chronic or incurable disease, injury, lameness or serious physical defect (includes severe tooth loss or wear, club foot, and other

severe acquired or congenital abnormalities). The decision on whether to euthanize an animal is made by the BLM following examination by a veterinarian.

### Eleven Recommendations of the Triple B Wild Horse Gather Review Team

- 1. BLM needs to review and update Standard Operating Procedures, contract provisions, procedures and guidelines for gather operations to ensure clarity of management expectations on what is appropriate and what is inappropriate.
- 2. BLM needs to provide continuous training to all gather participants, in order to manage and implement the ICS system and new process expectations outlined above.
- 3. Guidelines for helicopter operations should be issued to prohibit helicopters from making contact with any wild horses or burros during a gather. Guidelines should also be developed for the capture of small groups and single horses, as to when, when not and how much time should be expended guiding them to the trap site. Exact guidelines for helicopter operations are problematic and exceptions will always come into play, given the challenge of wild horse gathers and the lack of clear guidelines for the use of helicopters in wild horse gathers or for operations involving other wildlife, where many of the same challenges apply.
- 4. BLM should develop training on appropriate wild horse handling and corral management at trap sites and holding pens to make the handling of wild horses more efficient and less stressful on the horses. This training should include BLM and contractor staff.
- 5. A system for tracking incidents, from the use of electrical prods to roping to injuries or reports of animal welfare concerns, should be developed to provide data on the BLM's handling of wild horses. The review team believes this will demonstrate that issues like the specific incidents at the Triple B gather are the exception, not the rule. A tracking system like this will further the BLM's effort to improve wild horse welfare during gathers.
- 6. The use of electric prods should only occur after the approval of the COTR unless an animal's health or immediate safety is in jeopardy. As a general principle, electric prods are not used routinely on wild horses or burros, except when animal or human safety is in jeopardy or as a last resort. The BLM should develop a policy that directs specific use of electric prods and identifies the types of circumstances when they should or should not be used. All uses of a hotshot should be documented as to the rationale and outcome.
- 7. Horses should be roped only after approval by the COTR. Any roping or tying of a horse should be followed up by an onsite veterinarian examination. A roping/tying protocol should be developed by the BLM for all gathers. All roping incidents should be

documented as to the rationale and outcome.

- 8. Horses on the ground should never be dragged by their head or neck. The BLM should investigate and implement alternative methods of moving horses that are on the ground, including use of horse "rescue straps" or sliding boards to protect horses that must be moved while on the ground. All necessary incidences where a horse is dragged should be documented as to the rationale and outcome, including a veterinarian report.
- 9. Selected footage from this and other gathers should be used to train and to re-enforce appropriate handling techniques and proper trap, loading and holding facility for BLM and contractor staff. Wild horses should never be kicked, struck in the face, or be struck by trailer gates as a means of encouraging animals to load into trailers.
- 10. Wet mares and foals should be paired up as quickly as possible, usually within 4 hours of capture. Water for foals should also be provided within 4 hours of capture or even sooner if young foals are being handled.
- 11. Prepare better video documentation of gathers to provide a more useful record, and make the best use of technology to improve transparency and provide a record to improve future gather operations. Importantly, BLM documentation should be indexed and archived. BLM staff should be equipped with cameras and/or binoculars comparable to what can be expected from media and public observers.

### **Responses to the Recommendations**

Corrective actions and responses to the team's recommendations fall into three areas: National Policy/Comprehensive Animal Welfare; Helicopter Gather Contracts; Training.

#### (a) National Policy/Comprehensive Animal Welfare

- Instruction Memorandums (IM) will be issued from the national program office to all BLM gather Incident Commander's and Contracting Officer's Technical Representatives to address the issues of concern identified in the report. IMs will reiterate or clarify existing guidelines and outline new guidelines based on the team's recommendations. These IMs will ensure that the above items are thoroughly discussed with all staff and contractors <u>prior</u> to the start of all gathers, and that agreement and consensus is reached regarding the importance of compliance and humane treatment of animals. Completion is expected in less than 30 days. (Recommendations 1-8, 10)
- Guidance to BLM gather staff regarding documentation of any roping and/or dragging incidents will be issued as part of IM 2010-162 "Wild Horse and Burro Gather Daily Reporting, Internal Communications Protocol." This IM will ensure that gather staff document the rationale and outcome of any roping or dragging

incidents as part of the daily reporting process. Completion is expected in less than 30 days. (Recommendations 7, 8)

- All recommendations regarding specific animal handling practices will be further addressed, evaluated, and incorporated into Instruction Memorandums and SOPs of the BLM's Comprehensive Animal Welfare Program (CAWP). A comprehensive review of current SOPs and IMs is currently being conducted, and will be amended and clarified as needed. These updated documents will be used to instruct and train BLM personnel and contractors who are involved in gather operations. Internal and external audits will become part of the process to measure compliance with the CAWP standards, on an ongoing basis. The plan for the CAWP will be completed within 120 days, including a review of all existing policy, SOPs and other materials related to animal welfare. Implementation will begin in the next gather season. (Recommendations 1, 3, 5, 6, 7, 8, 10)
- IMs that clarify the Gather Incident Command System, Gather Public Observation/Communications and Euthanasia Protocol and Policy are under development by BLM staff. Completion is expected within 90 days. (Recommendations 2, 11)
- (b) Helicopter Gather Contracts A BLM "Helicopter Gather Contract Review and Recommendation Team" consisting of contracting specialists, field and Washington Office staff and managers was established on November 28, 2011. The team is charged with reviewing the existing helicopter gather contracts to determine and define what areas of improvement are possible to be incorporated into contracts, whether by modification of existing contracts, or issuance of new Requests for Proposal. This team expects to provide recommendations by January 2012. (Recommendation 3)
- (c) Training The BLM Wild Horse and Burro Program will establish a team of wild horse and burro specialists, managers and curricula development experts from the BLM National Training Center (NTC) to review current training courses and recommend additional curricula. NTC courses cover topics such as compliance and animal health, wild horse and burro herd management, and the Wild Horse and Burro Program System. Training agreements cover topics such as immunocontraception application, environmental assessments and humane euthanasia. (Recommendations 2, 4, 9)